

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NICK LYNN ENGLISH,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 3:16-cv-05010-RSL-KLS

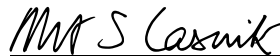
ORDER GRANTING PLAINTIFF'S
AMENDED MOTION FOR ATTORNEY
FEES UNDER 28 U.S.C. § 2412(d)

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge Karen L. Strombom, United States Magistrate Judge, and objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) the Court adopts the Report and Recommendation;
- (2) Plaintiff is granted attorney fees in the amount of \$1,436.33.
- (3) Subject to any offset allowed under the Treasury Offset Program, as discussed in *Astrue v. Ratliff*, 560 U.S. 586 (2010), payment of this award shall be sent to plaintiff's attorney Kevin Kerr at his address: Schneider Kerr Law Offices, P.O. Box 14490, Portland, OR 97293.
- (4) After the Court issues this Order, defendant will consider the matter of plaintiff's assignment of EAJA fees and expenses to plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, the ability to honor the assignment will depend on whether the EAJA fees and expenses are subject to any offset allowed under the Treasury Offset Program.

1 Defendant agrees to contact the Department of Treasury after this Order is entered to
2 determine whether the EAJA attorney fees and expenses are subject to any offset. If the
3 EAJA attorney fees and expenses are not subject to any offset, those fees and expenses
4 will be paid directly to plaintiff's attorney, either by direct deposit or by check payable
5 to him and mailed to his address.
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8 Dated this 4th day of January, 2017.

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10 Robert S. Lasnik
11 United States District Judge
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